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Technology Center 2100

Paper No. 3

In re Application of: Denis J. P. Garcia
Application No. 10/074,804
Filed: February 14, 2002
For: SECURED DATA FORMAT FOR
ACCESS CONTROL

DECISION ON PETITION FOR
ACCELERATED EXAMINATION
UNDER M.P.E.P §708.02(VIII)

This is a decision on the supplemental petition, filed June 4, 2002 under 37 C.F.R. §1.102(d) and M.P.E.P. §708.02(VIII): Accelerated Examination, to make the above-identified application special.

M.P.E.P. §708.02(VIII) states that an applicant may be granted special status provided that the applicant:

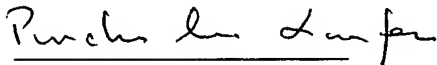
- (a) Submits a petition to make special accompanied by the fee set forth in 37 CFR 1.17(h);
- (b) Presents all claims directed to a single invention, or if the Office determines that all the claims presented are not obviously directed to a single invention, will make an election without traverse as a prerequisite to the grant of special status;
- (c) Submits a statement(s) that a pre-examination search was made, listing the field of search by class and subclass, publication, Chemical Abstracts, foreign patents, etc. A search made by a foreign patent office satisfies this requirement.
- (d) Submits one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record; and
- (e) Submits a detailed discussion of the references, which discussion points out, with the particularity required by 37 CFR 1.111(b) and (c), how the claimed subject matter is patentable over the references.

Applicant's petition is deficient for the following reasons:

- Failure to provide a listing of the field of search by class and subclass.
- Failure to provide a detailed description of how claimed subject matter is patentable over each reference. Applicant has merely reproduced the Abstracts (or a portion thereof) provided in each reference. **There is no detailed discussion of the references as required by section (e) to the extent required by 37 CFR 1.111(b) and (c).** The discussion of each reference should be accompanied by a thorough account of how the reference – independently or in combination with other references- fails to teach or suggest all relevant aspects of the independent claims.

Accordingly, the petition is **DISMISSED**. The application file is being forwarded to Central Files to await examination in its proper turn based on its effective filing date.

If the petitioner desires further review of this decision, applicant should consider filing a Request for Reconsideration within 2 months of the mailing date of this decision.



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